

63C Am. Jur. 2d Property § 15

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Property

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III. Kinds and Classifications of Property

B. Real Property

§ 15. Tenements

[Topic Summary](#) | [Correlation Table](#) | [References](#)

West's Key Number Digest

West's Key Number Digest, [Property](#) 1, 3, 4

The word “tenement,” in its broadest sense, embraces more than the word “land,” and includes everything which may be subject to an interest, provided it is of a permanent nature.¹ As used in American jurisdictions, the word “tenement” is generally applied exclusively to land, or to what is usually denominated a real property.²

An estate or interest to amount to a tenement should be a freehold at least and, hence, a term for years does not come within the meaning of the word.³ In a different and still more restricted sense, a tenement is a house or building.⁴

Rents accruing to land have been classified as a tenement,⁵ and sometimes also as an incorporeal hereditament,⁶ as real property,⁷ or as a chattel real.⁸ However, the rents due from a tenant after his or her tenancy has terminated are a mere debt, not connected with the lands.⁹

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Footnotes

¹ [Orchard v. Wright-Dalton-Bell-Anchor Store Co.](#), 225 Mo. 414, 125 S.W. 486 (1909); [Wood v. Galpert](#), 27 Ohio Op. 2d 454, 93 Ohio L. Abs. 545, 199 N.E.2d 900 (C.P. 1964), judgment aff'd, 1 Ohio App. 2d 202, 30 Ohio Op. 2d 242, 204 N.E.2d 384 (8th Dist. Cuyahoga County 1965).

² [Orchard v. Wright-Dalton-Bell-Anchor Store Co.](#), 225 Mo. 414, 125 S.W. 486 (1909).

³ [Orchard v. Wright-Dalton-Bell-Anchor Store Co.](#), 225 Mo. 414, 125 S.W. 486 (1909).

⁴ [Orchard v. Wright-Dalton-Bell-Anchor Store Co.](#), 225 Mo. 414, 125 S.W. 486 (1909).

⁵ [Wood v. Galpert](#), 1 Ohio App. 2d 202, 30 Ohio Op. 2d 242, 204 N.E.2d 384 (8th Dist. Cuyahoga County 1965).

⁶ [§ 16.](#)

7 § 12.

8 § 23.

9 Wood v. Galpert, 1 Ohio App. 2d 202, 30 Ohio Op. 2d 242, 204 N.E.2d 384 (8th Dist. Cuyahoga County 1965).

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